

United States District Court  
Northern District of California

HOLLYNN DELIL,

Plaintiff,

v.

COUNTY OF SONOMA, et al.,

Defendants.

Case No.: 13-00423-KAW  
14-00445-LB

ORDER GRANTING DEFENDANT'S  
MOTION TO RELATE AND  
CONSOLIDATE CASES

(Dkt. No. 34.)

On April 18, 2014, Defendant County of Sonoma filed an administrative motion to relate and consolidate this action with *Hollynn Delil v. County of Sonoma, et al.*, Case No. 3:14-cv-00445-LB, another Public Rights of Way violations case in unincorporated Sonoma County pending in the U.S. District Court for the Northern District of California. (Def.'s Mot., Dkt. No. 34 at 1.) Federal Rule of Civil Procedure 42 grants the court discretion to consolidate two or more actions that "involve a common question of law or fact." Fed. R. Civ. P. 42(a)(2).

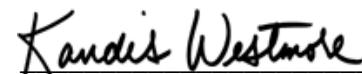
Attached to Defendant's motion was a stipulation confirming the agreement of the parties to consolidate and relate on the grounds that the two cases involve the same parties and issues, that there would likely be an unnecessary duplication of labor and expense if the cases were mediated separately under General Order 56 or tried separately, and that relating the cases will increase judicial efficiency and eliminate the risk of inconsistent adjudications. (Stipulation, Dkt. No. 34-2 at 1-2.) On April 25, 2014, Plaintiff filed a notice of non-opposition. (Dkt. No. 36.)

Both cases concern disability accessibility in towns located in unincorporated Sonoma County, Graton and Occidental respectively, and involve the same consideration as to how the County identifies and prioritizes locations for ADA improvements, funds those improvements, and responds to requests for accommodations in rural areas. (Def.'s Mot. at 4.) Defendant further provides that consolidation would not cause undue delay in the earlier filed action. *Id.*

1       Based on Defendant's unopposed motion and the stipulation of the parties, the  
2 undersigned finds that both cases involve a common question of law or fact, and given that this  
3 court is assigned to the earliest filed action, the Court orders that the case of *Hollynn Delil v.*  
4 *County of Sonoma, et al.*, Case No. 3:14-cv-00445-LB be related and consolidated with this case  
5 under Federal Rule of Civil Procedure 42(a)(2). By virtue of consolidation, any further mediation  
6 before Howard Herman pursuant to General Order 56 should include both actions.

7       IT IS SO ORDERED.

8       Dated: June 4, 2014



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10      KANDIS A. WESTMORE  
11      United States Magistrate Judge